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PART-IIA

GOVERNMENT OF MEGHALAYA

NOTIFICATIONS

The 23rd August, 2023.

No.MPSC/Estt-09/2016-2017-Part-I/243. - In exercise of the powers conferred by the proviso to Article 309 read with Article 318 of the Constitution of India, the Governor of Meghalaya is pleased to make the following rules, regulating recruitment and conditions of service of persons appointed to the Secretariat Service in the office of the Meghalaya Public Service Commission, Shillong, namely:-

1. **Short title and commencement:** (1) These rules may be called the **"Meghalaya Public Service Commission Secretariat Service Rules, 2023"**.
(2) They shall come into force from the date of this Notification in the Official Gazette.
2. **Definitions** - In these rules, unless there is anything repugnant in the subject or context:-
 - (a) "Appointing authority" means (1) The Governor in respect of the Gazetted posts under sub-rules (1), (2), (3) of rule 7. (2) The Head of the Meghalaya Public Service Commission in respect of the non-gazetted posts; under sub-rule (4), (5), (6)(a), (b) and (c), (7) and (8) of rule 7.
 - (b) "Commission" means the Meghalaya Public Service Commission;
 - (c) "Committee" means the Committee constituted under rule 8;
 - (d) "Government" means the Government of Meghalaya;
 - (e) "Governor" means the Governor of Meghalaya;
 - (f) "Member of the Service" means "Member of the Secretariat service in the Meghalaya Public Service Commission whether Gazetted or Non-Gazetted";
 - (g) "Service" means the Secretariat Service of the Meghalaya Public Service Commission;
 - (h) "State" means the State of Meghalaya.
 - (i) "Year" means the Calendar year.
3. **Constitution of the Service** - There shall be constituted a Service to be known as the Meghalaya Public Service Commission Secretariat Service consisting of the following persons, namely -
 - (1) Persons already appointed to different posts in the Service before the commencement of these Rules.
 - (2) Persons appointed to different posts in the Service in accordance with the provision of these rules.

4. **Composition of the Service** - (1) The service shall consist of the following grades and groups of post,

Senior Grade	GROUP-A	(a) Controller of Examinations
Grade I		(b) Deputy Secretary
Grade II		(a) Under Secretary,
		(a) Superintendent.

Grade II	GROUP-B	(a) Assistant Superintendent,
Grade III		(a) Upper Division Assistant (U.D.A).

Grade III	GROUP-C	(a) Lower Division Assistant (L.D.A).
		(b) Stenographer Grade-II
		(c) Typist.

(2). Each of the categories of posts in sub-rule (1) shall form an independent cadre. Members of the lower cadre shall have no claim for appointment to any of the higher Cadre except in accordance with the provisions made in these rules.

5. **Status** - The Status of the members of the Service holding posts of Controller of Examination, Deputy Secretary, Under Secretary and Superintendent shall be Group A (Gazetted), those holding the post of Assistant Superintendent and Upper Division Assistant shall be Group B (Non-Gazetted) and those of Lower Division Assistant, Stenographer - Grade II, Typist shall be Group C.

6. **Strength of the Service** - (1) The number of posts, permanent as well as temporary, under each of the grades mentioned in sub-rule (1) of rule 4 shall be such as may be determined by the Government from time to time.

(2) At the commencement of these rules, the strength of the Service and posts therein shall be as shown in Schedule I.

7. **Method of Recruitment** - (1) **Controller of Examination/Deputy Secretary** – Recruitment to the posts of Controller of Examination and Deputy Secretary shall be made by promotion from the Select List prepared for the purpose under rule 9 from amongst the members of the service as stated in Schedule II:

Provided that if sufficient number of Under Secretaries are not available for filling up the vacancies, recruitment to the posts of Controller of Examination/Deputy Secretary shall also be made by promotion from the Select List prepared under rule 9 from amongst the Superintendent of the service under rule 19 as stated in Schedule II.

(2) **Under Secretary** - Recruitment to the post of Under Secretary shall be made by promotion from the Select List prepared for this purpose under rule 9 from amongst the members of the service holding the post of Superintendent as stated in Schedule II:

Provided that if sufficient number of Superintendents is not available for filling up the vacancies, recruitment to the posts of Under Secretary shall also be made by promotion from the Select List prepared under rule 9 from amongst the Assistant Superintendents of the service under rule 19 as stated in Schedule II.

(3) **Superintendent** - Recruitment to the post of Superintendent shall be made by promotion from the Select List prepared for this purpose under rule 9 from amongst the members of the service holding the post of Assistant Superintendent as stated in Schedule II:

Provided that if sufficient number of Assistant Superintendents is not available for filling up the vacancies, recruitment to the posts of Superintendent shall also be made by promotion from the Select List prepared under rule 9 from amongst the Senior-most Upper Division Assistant of the service as stated in Schedule II.

(4) **Assistant Superintendent** - Recruitment to the post of Assistant Superintendent shall be made by promotion from the Select List prepared for this purpose under rule 9 from amongst the Senior-most members of the service holding the post of Upper Division Assistant as stated in Schedule II.

(5) **Upper Division Assistant** - Recruitment to the post of Upper Division Assistant shall be made by promotion from the Select List prepared for this purpose under rule 9 from amongst the members of the service holding the post of Lower Division Assistant as stated in Schedule II

(6) **Lower Division Assistant** - Appointment to the posts of Lower Division Assistant shall be made:-

- (a) by direct recruitment on the result of the Competitive examination to be conducted by the Commission,
- (b) by selection on the basis of seniority-*cum*-merit from amongst the Typists of the service under rule 19 as stated in Schedule II.
- (c) by selection on the basis of seniority-*cum*-merit from amongst the Peons of the office under rule 19 as stated in Schedule II.

NOTE: The proportion of vacancies to be filled up in any year according to clauses (a),(b) and (c) shall be 80:10:10 respectively. In the event of sufficient qualified or suitable persons not being available in category (c), the balance would be made up from the category (a) *i.e.*, through direct recruitment. Here, vacancies include both permanent and temporary vacancies.

(7) **Stenographer Grade II** - Appointment shall be made by the Appointing Authority by direct recruitment on the result of the Competitive examination to be conducted by the Commission.

(8) **Typist** - Appointment shall be made by the Appointing Authority by direct recruitment on the result of the Competitive examination to be conducted by the Commission.

8. **Departmental Promotion Committee** - For the purpose of selection mentioned in sub-rules (1), (2) and (3) of rule 7 there shall be a Selection Committee consisting of the following Members; namely:-

- (i) the Chairman of the Commission shall be the Chairman of the Committee;
- (ii) One Member of the Commission to be nominated by the Chairman shall be the Member of the Committee;
- (iii) The Secretary of the Commission shall be the Member Secretary of the Committee.
- (iv) Representatives from the Personnel & A.R. Department & Finance Department not below the rank of Under Secretary.

For the purpose of selection mentioned in sub-rules (4), (5) and (6) (b) & (c) of Rule 7 there shall be a Selection Committee consisting of the following Members; namely:-

- (d) The Secretary of the Commission shall be the Chairman of the Committee;
- (ii) The Deputy Secretary of the Commission shall be the Member of the Committee;
- (iii) The Under Secretary of the Commission shall be the Member of the Committee;
- (iv) Representatives from the Personnel & A.R. Department and Finance Department not below the rank of Under Secretary.

9. **Procedure for preparing the Select Lists** - (1) At the beginning of each year, the Appointing Authority shall refer to the Committee the approximate number of vacancies likely to occur in each of the grades and categories of the Service during the year. To enable the Committee to prepare the Select Lists for promotion to these grades, the Appointing Authority shall provide the Committee with the following documents, namely,

- (i) a list of the members of the Service drawn up in order of Seniority and consisting three times the number of vacancies referred to in this sub-rule:

Provided that such restriction shall not apply in respect of posts where the total number of eligible persons is less than three times the number of vacancies and in such case, the Committee shall consider all the eligible persons;

- (ii) the character rolls and service records of such persons;
- (iii) Any other documents and information as may be considered necessary by the appointing Authority or required by the Committee.
- (iv) The Committee after examining the character rolls, service records and other documents in respect of all persons shall prepare a list of names based on seniority with due regard to merit and suitability. This list shall be forwarded by the Committee to the Appointing Authority. The names of persons in the list shall be placed in order of preference for promotion. In every case where a senior member is selected in preference to his seniors, the Committee shall record in writing the reasons for doing so.
- (v) The Appointing Authority shall consider the List prepared by the Committee along with the Character Rolls and Service Records and other documents in respect of each person in the list and unless it considers any change is necessary, approve the list. If the Appointing Authority considers any change necessary in the List received from the Committee, it shall refer the matter to the Committee and on such referral; the Committee's decision shall be final.
- (vi) The List finally approved by the Appointing Authority shall Select from the List for the purpose of appointments under these rules.

10. **Validity of the Select List** - (1) The Select List shall remain in force for a period of one year unless its validity is extended with the approval of the Commission:

Provided that such an extension shall not be for a total period exceeding six months:

Provided further that in the event of any great lapse in the conduct or performance of duties on the part of any person in the Select List, the Appointing Authority may, if it thinks fit, remove the name of such person from, the Select List. In removing the name of any such person from the Select List prepared under rule 9, the full Commission shall also be consulted. The reason for doing so shall be recorded in writing.

- (2) The Selection Committee shall meet once a year and review and revise the Select List.

11. **Direct Recruitment** - (1) The Competitive Examination for Appointment under clause (a) of sub-rules (6), (7) & (8) of rule 7 shall be held at such intervals and conducted by the Commission in the manner notified by the Appointing Authority from time to time. The dates on which and the places at which the examination shall be held shall be fixed by the Commission.
- (2) The Examination shall be conducted by the Commission in accordance with such rules and syllabus if available as the Appointing Authority may from time to time make.
- (3) Of the number of vacancies to be filled up on the result of each examination, there shall be reservation in favour of candidates belonging to Scheduled Castes and Scheduled Tribes to the extent and subject to the conditions as the Government may from time to time prescribe. Reservation of vacant post shall be as per reservation policy of state.
- (4) On the basis of the result of the competitive Examination, the Commission shall prepare a list of all successful candidates in order of merit and determine in accordance with the aggregate marks obtained by such candidates and if two or more candidates obtain equal marks, the Committee shall arrange them in order of their relative merit which shall be determined in accordance with the general suitability of the candidates for appointment to the post.
- (5) Inclusion of a candidate's name in the list confer no right to appointment unless the Appointing Authority is satisfied, after such enquiry as may be considered necessary, that the candidate is suitable in all respect for appointment to the post and that appointment to any post in the service is subject to availability of vacancy.
12. **Conditions of eligibility** - In order to be eligible to compete in the examination for direct recruitment, a candidate must satisfy the following conditions, namely,-
- (1) **Nationality** - He must be a citizen of India, and
- (2) **Age** - He must have attained the age of 18 years and should not be more than 32 years on the first day of the year in which the advertisement for the posts is made:
- Provided that in the case of candidates belonging to Scheduled Caste/Scheduled Tribe, the upper age limit in any individual case may be relaxed by the Appointing Authority in accordance with any general or special order issued by Government from time to time.
- (3) **Educational Qualification** - As laid down in Schedule-II.
13. **Disqualification for Appointment to the Service:-** (1) No candidate shall be appointed who, after a medical examination as Government may prescribe, is not found to be in good mental or bodily health and free from any mental or physical defect likely to interfere in the discharge of his duties.
- (2) No person who has been convicted for any offence involving moral turpitude shall be appointed to a post in the service.
- (3) No person who has more than one spouse living shall be eligible for appointment to the Service;
- Provided that Government may, for good and sufficient reasons, exempt any candidate from the operation of this sub-rule.
- (4) No person who attempts to enlist support for his candidature either directly or indirectly by any recommendation either written or oral or by any other means, shall be appointed to posts in the service.

14. **Appointment to the Service:-** (1) Appointment to any post in the Service under rule 7 shall be made by the Appointing Authority and in respect of Gazetted post shall also be published in the Meghalaya Gazette.
- (2) (i) Subject to the provision of sub-rules (3) and (5) of rule 11, appointment shall be made from time to time in the order in which the names of the candidates appear in the merit list prepared under sub-rule (4) of rule 11.
- (ii) A person appointed by direct recruitment shall join within 15 days from the date of receipt of the order of appointment, failing which, and unless the Appointing Authority extend the period of joining, which shall not in any case exceed three months, the appointment shall be cancelled.
- (3) Appointment under sub rules (1), (2), (3), (4), (5), (6) (b) & (c) of Rule 7 shall be made in the order in which the names of the candidates appear in the select list approved by the Commission under rule 9.
15. **Probation** - Every person appointed to the Service under clause(a) of sub-rules (6), (7) and (8) of rule 7 shall be on probation for a period of 2(two) years:
- Provided that the period of probation may for good and sufficient reasons be extended by the Appointing Authority in any individual case by a period not exceeding 2 (two years):
- Provided further that where a person appointed to the post in the Service could not be placed under probation for want of permanent vacancy, any period which he has rendered in a temporary capacity, may having regard to his performance he counted towards the period of probation.
16. **Departmental Examination and Training** - (1) Persons appointed to the posts in the Service after the commencement of these rules, shall, during the period of Lower Division Assistant appointed under sub-rule (6) of rule 7 shall undergo a training in Group 'A' (Junior Course) at the Meghalaya Administrative Training Institute.
- (2) Persons promoted to a higher level post under sub rules (5) of rule 7 shall, within a period of one year shall be required to successfully undergo a course of training in Group 'B' (Senior Course) at such Institute as may be prescribed by the Appointing Authority.
- (3) Persons who joined the service prior to the commencement of these rules and who has not undergone any type of training during their tenure shall also undergo successfully such prescribed training:
- Provided that the Commission, may for good and sufficient reason(s) exempt any member of the service from undergoing such training referred to in this rule.
17. **Discharge or Reversion** - (1) Where the Appointing Authority finds that the performance of duty by any member of the Service, appointed by promotion, is unsatisfactory or where he is found unfit to hold the post at any time during the period of probation, such member shall be liable to be reverted to his next lower post or grade.
- (2) A member of the Service appointed by direct recruitment shall be liable to be discharged if :-
- (a) he fails to make sufficient use of the opportunities given during the training or otherwise fails to give satisfactory performance during the period of probation; or
- (b) he fails to pass the Departmental Examination unless the Appointing Authority permits him to sit for re-examination in the subject or subjects in which he failed; or

(c) on any information received relating to his nationality, age, health, character and antecedents the Appointing Authority is satisfied that the probationer is in eligible or otherwise unfit for being a member of the Service.

18. **Seniority** - (1) The *inter-se* seniority of Assistant Superintendents appointed under sub-rule (4) of rule 7, shall be in the order in which their names appear in the Select List.

(2) The *inter-se* seniority of the Upper Division Assistants appointed under sub-rule (5) of rule 7 shall be in the order in which their names appear in the respective Select Lists and List mentioned in rule 9. The *inter-se* seniority between an assistant recruited under any one of the aforesaid sub-rule and an assistant recruited from any of the other two sub-rules will be according to the date of appointment. The *inter-se* seniority among the Upper Division Assistant appointed under the aforesaid sub-rules on the same date shall be in order of seniority.

(3) The *inter-se* seniority of Lower Division Assistants appointed under clauses (b) and (c) of sub-rule (6) of rule 7 shall be in the order in which their names appear in the list mentioned in rule 9 and in the respective Select List. The *inter-se* seniority between an assistant recruitment under any one of the aforesaid sub-rules and an assistant from any of the other two sub-rules will be according to the date of appointment. The *inter-se* Seniority among the Lower Division Assistant appointed under the aforesaid sub- rules on the date shall be in the following order:-

(4) The *inter-se* seniority of typists appointed to the selection grade shall be in the order in which their names appear in the Select List.

(5) The *inter-se* seniority of typists (ordinary grade) shall be in the order in which their names appear in the list mentioned in rule 9.

19. **Confirmation:-**

(1) Confirmation of a member of the Service in the cadre appointed by promotion shall be made according to his seniority in that cadre subject to the following conditions:- namely,

- (a) that he has served not less than one year in the post where he is to be confirmed;
- (b) that the performance of the employee is satisfactory (to be judged on the basis of Annual Confidential Reports and other relevant records);
- (c) that there is no departmental proceeding/vigilance enquiry against him; and
- (d) subject to availability of vacancy and that no officer holds a *lien* on it;

(2) Confirmation of a probationer shall be made according to his seniority in that cadre subject to the following conditions, namely:-

- (a) that he has completed the period of probation to the satisfaction of the Appointing Authority.
- (b) that he has passed the Departmental Examination completely and successfully undergone the training courses as may be prescribed by the Appointing Authority, from time to time and
- (c) that he is considered otherwise fit by the Appointing Authority, and
- (d) subject to availability of vacancy:

Provided that where a person is not given opportunity to undergo the prescribed training during the period of probation his/her confirmation shall not be held up for reasons of not successfully undergoing the said training but such person shall when called upon by the Appointing Authority and opportunity given successfully undergo the said training:

Provided further that the Appointing Authority may for good and sufficient reasons exempt a member of the service from passing any one or more of the prescribed Departmental Examination and Training and confirm his/her in the respective cadre of the Service.

20. **Gradation List** - There shall be prepared and published annually an up to date Gradation List as on 1st January consisting of the names of all members of the Service, cadre-wise and drawn up in order of seniority and other particulars relating to the date of birth and appointment to the Service and such other details relevant to the service career shall be also indicated against each name.
21. **Increment** - (1) The first increment admissible to a member of the Service shall accrue on completion of one year from the date of his joining the post but subsequent increment shall be allowed only on his completion of the period of probation successfully.
- (2) Such persons referred to in sub-rule (2) of Rule 3 shall be allowed to draw increment becoming due within the period of two years from the date of commencement of these Rules but further increments shall be allowed only on their passing the Departmental Examination completely and on successful completion of the training courses prescribed.
- (3) The pay of the member of the service on his completion of the period of probation or on passing the Departmental Examination and/or training prescribed shall be fixed at such a stage if he has been allowed his usual annual increments due but he shall not be entitled to any arrear in pay on account of withholding due increments for the period prior to the date of his completion of the period of probation or passing the prescribed training.
- (4) The increment admissible to a member of the Service promoted from one post to another shall accrue on the expiry of such year as admissible under the rules.
22. **Leave, Pension and other conditions of Service** - All matters generally relating to pay and allowances, leave, pension, discipline and other conditions of Service shall be regulated by rules and orders as are from time to time applicable to other officers of the Government of corresponding status.
23. **Power of Governor to Dispense with or Relax any Rules** - Where the Governor is satisfied that the operation of any of the provisions of these rules would cause undue hardship in any particular case, he may dispense with or relax the requirement of that rule to such extent and subject to such conditions as it may consider necessary for dealing with case in a just and equitable manner, or, for meeting the exigencies of public interest.
24. **Interpretation** - If any question arises relating to the interpretation to these rules, it shall be referred to the Government in the Personnel Department, whose decision thereon shall be final.
25. **Repeal and savings** - (1) All rules, orders or notifications corresponding to and in force immediately before the commencement of these Rules and hereby repealed.
- (2) Notwithstanding such repeal, any action taken or done under these rules, orders, notifications and office memorandum so repealed shall be deemed to have been validly made or taken under the corresponding provisions of these Rules.

A. M. SANGMA,
Secretary,
Meghalaya Public Service Commission,
Shillong.

SCHEDULE - I
[See sub-rule (2) of rule 6]

SL. NO.	NAME OF POST	TIME SCALE PAY	REVISED PAY STRUCTURE (Level in Pay Matrix)	NUMBER OF POST(S) (Permanent)	NO. OF POST(S) (Temporary)	TOTAL
1	2	3	4	5	6	7
1.	Secretary, Meghalaya Public Service Commission.	Borne on the IAS / MCS Cadre	Borne on the IAS / MCS Cadre	-	-	-
2.	Chief Controller of Examinations, Meghalaya Public Service Commission.	Borne on the IAS / MCS Cadre	Borne on the IAS / MCS Cadre	-	-	-
3.	Controller of Examinations, Meghalaya Public Service Commission.	₹ 26,700-800-33,100-1,000-42,100	L-19	1		1
4.	Deputy Secretary, Meghalaya Public Service Commission.	₹ 26,700-800-33,100-1,000-42,100	L - 19	1		1
5.	Under Secretary, Meghalaya Public Service Commission.	₹ 23,300-700-27,500-830-32,480-970-39,270	L - 18	1	1	2
6.	Superintendent, Meghalaya Public Service Commission.	₹ 18,300-500-218—EB-650-27,000-810-35,100	L - 16	2		2
7.	Assistant Superintendent, Meghalaya Public Service Commission.	₹ 15,700-390-18,430-EB-510-23,020-690-30,610	L - 13	1	1	2
8.	Upper Division Assistant, Meghalaya Public Service Commission.	₹ 14,100-350-16,550-EB-460-20,690-620-27,510	L - 11	13	1	14
9.	Stenographer Grade II, Meghalaya Public Service Commission.	₹ 13,100-330-15,410-EB-420-19,190-580-25,570	L - 11	1		1
10.	Lower Division Assistant, Meghalaya Public Service Commission.	₹ 11,300-280-13,260-EB-360-16,500-500-22,000	L - 8	13	2	15
11.	Typist, Meghalaya Public Service Commission.	₹ 8,300-210-9,770-EB-270-12,200-370-16,270	L - 4	6		6

SCHEDULE - II
[See rule 12 (3)]

Sl. No.	Name of Post	Method of Recruitment	By Direct Recruitment			By Promotion		Remarks
			Educational Qualification	Lower Age Limit	Upper Age Limit	Persons eligible for Appointment by Promotion	Educational Qualification, Experience etc.	
1	2	3	4	5	6	7	8	9
1.	Controller of Examinations	Promotion	-	-	-	Under Secretary/ Superintendent	2 years experience as Under Secretary and having a Bachelor Degree OR 4 years experience as Superintendent and having a Bachelor Degree	
2.	Deputy Secretary	Promotion	-	-	-	Under Secretary/ Superintendent	2 years experience as Under Secretary and having a Bachelor Degree OR 4 years experience as Superintendent and having a Bachelor Degree	
3.	Under Secretary	Promotion	-	-	-	Superintendent/ Assistant Superintendent	2 years experience as Superintendent and having a Bachelor Degree OR 4 years experience as Assistant Superintendent and having a Bachelor Degree	
4.	Superintendent	Promotion	-	-	-	Assistant Superintendent/ Upper Division Assistant	2 years experience as Asstt. Superintendent and having a Bachelor Degree OR 4 years experience as UDA having a Bachelor Degree.	
5.	Assistant Superintendent	Promotion	-	-	-	Upper Division Assistant	4 years experience as UDA having a Bachelor Degree	

6.	Upper Division Assistant	Promotion	-	-	-	Lower Division Assistant	4 years experience as LDA having a Bachelor Degree	Every Upper Division Assistant shall undergo a training in Group 'B' (Senior course) at the Meghalaya Administrative Training Institute.
7.	Lower Division Assistant	(a) Direct Recruitment (80%) (b) Promotion (20%) 10% from Typist 10% from Grade IV.	Essential qualification Graduate in any discipline	18	32	Typists and Peons	By Promotion from amongst the confirmed Typist with 4 years of continuous service having a Bachelor's Degree OR From amongst the confirmed Peons with 7 years of continuous service having a Bachelor's Degree.	Every LDA appointed through Direct Recruitment or Promotion shall have to undergo a training course in Group 'A' (Junior Course) at the Meghalaya Administrative Training Institute.
8.	Stenographer Grade II	Direct Recruitment	Bachelor Degree from a recognized University with knowledge of Computer Application OR Diploma/ Certificate in Stenography/ Short and from ITI/Polytechnic/ any other Institute.	18	32	-	-	-
9.	Typist	Direct Recruitment	Must have passed the HSSLC/PU Examination from a recognized Board and having a proficiency in typist at a speed of 30-45 words per minute.	18	32	-	-	-